

HOUSE JOURNAL
of the
FIRST EXTRAORDINARY SESSION
of the
ONE HUNDRED TWLEFTH GENERAL ASSEMBLY
of the
STATE OF TENNESSEE
TUESDAY, JANUARY 19, 2021
FIRST LEGISLATIVE DAY

The House met at 12:00 p.m. and was called to order by Mr. Speaker Sexton.

The proceedings were opened with prayer by Rep. White.

Representative White led the House in the Pledge of Allegiance to the Flag.

OATH OF OFFICE

Representative-elect Vaughan was administered the oath of office by the Honorable Justice W. Neal McBrayer as prescribed by the State Constitution and Statutes of Tennessee.

ROLL CALL

The roll call was taken with the following results:

Present..... 92

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Hardaway, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Sexton -- 92

EXCUSED

The Speaker announced that the following members have been excused, pursuant to requests under **Rule No. 20**:

Representative Byrd; illness

Representative Williams; personal

Representative Cooper; personal

Representative Stewart; personal

Representative Rudd; personal

Representative Carter; illness

Representative Terry; business

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1 Rep. Ragan as prime sponsor.

READING OF THE PROCLAMATION

Rep. Lamberth moved to dispense with the reading of the Governor's Proclamation, which motion prevailed.

PROCLAMATION BY THE GOVERNOR

WHEREAS, the COVID-19 pandemic has created unprecedented challenges with respect to educating Tennessee's K-12 students, including requiring the suspension of in-person education for the remainder of the 2019-2020 school year beginning in March of 2020 and resulting in various individual or district-wide disruptions or suspensions of in-person education during the 2020-2021 school year; and

WHEREAS, these significant educational disruptions will have long-term effects on student learning, progress, and development unless addressed by additional measures and programming to improve student learning; and

WHEREAS, prior to the COVID-19 pandemic, many Tennessee students did not read at grade level, and the pandemic has and will continue to exacerbate that deficiency and the lifelong educational and career challenges that result, unless we immediately improve our State's literacy instruction; and

WHEREAS, to reaffirm our commitment to school funding, teacher and other educational staff pay, and equitable accountability measures, it is important to provide additional certainty to teachers, schools, and districts and to enact funding and accountability measures in response to the economic, educational, and other disruptions created by the COVID-19 pandemic; and

WHEREAS, it is in the best interest of Tennessee that the General Assembly convene to expeditiously address these matters so that the necessary educational interventions and supports can be established in advance of the 2021-2022 school year.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by Article III, Section 9 of the Tennessee Constitution, do hereby call the One Hundred Twelfth General Assembly of the State of Tennessee to meet and convene in extraordinary session at the Capitol in Nashville on January 19, 2021, at noon, Central Standard Time, to consider and act upon legislation relative to the education of students in pre-kindergarten through twelfth grade and that:

- (1) relates to improvements in student literacy;
- (2) addresses student learning loss and course access, including the opportunity for additional coursework;
- (3) makes and allows for temporary adjustment of student assessment-based and student growth model-based accountability measures for students, schools, principals, teachers, and local education agencies relating to the COVID-19 pandemic;
- (4) addresses temporary education and school funding deficiencies or shortfalls resulting from the COVID-19 pandemic;
- (5) relates to salary increases for teachers and other educational staff; or
- (6) makes sufficient and lawful appropriation of funding as is necessary for any act which receives final passage during the extraordinary session.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Tennessee to be affixed at Nashville on this 12th day of January, 2021.

/s/ Governor Bill Lee

ATTEST:

/s/ Secretary of State Tre Hargett

ADOPTION OF PERMANENT RULES

Rep. Marsh moved that the following Rules and Procedures be adopted as the Permanent Rules for the First Extraordinary Session, which motion prevailed:

TENNESSEE HOUSE OF REPRESENTATIVES

**112TH GENERAL ASSEMBLY
FIRST EXTRAORDINARY SESSION**

**PERMANENT RULES OF ORDER
CAMERON SEXTON, SPEAKER**

**PERMANENT
RULES OF ORDER**

of the

**TENNESSEE
HOUSE OF REPRESENTATIVES**

**One Hundred Twelfth General Assembly
First Extraordinary Session**

1. SPEAKER TO CONVENE HOUSE. At the hour to which the House shall have been adjourned, the Speaker shall proceed to the dais and announce that the House is in session in accordance with the adjournment motion previously made. The Speaker shall then call the House to order and, after appropriate opening ceremonies, call for the regular order of business, beginning with a roll call to determine that a quorum is present. A quorum of the House of Representatives shall be as defined by the Constitution of the State of Tennessee: “Not less than two-thirds of all the members to which each house shall be entitled shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized, by law, to compel the attendance of absent members.” Article 2, Section 11, Constitution of the State of Tennessee.

2. SPEAKER TO PRESERVE ORDER AND DECORUM. The Speaker shall preserve order and decorum and may speak to points of order in preference to other members.

No member or staff member of the House of Representatives shall record or live stream the proceedings of the House, a House committee, Joint Convention, or Joint Committee. The preceding sentence shall not apply during floor presentations under Welcoming and Honoring or to any official recording or live stream produced, archived, and authorized for distribution by the General Assembly or House of Representatives.

The Speaker will have the authority to set other guidelines for decorum.

3. OTHER DUTIES OF SPEAKER. The Speaker shall supervise the preparation of the daily Journal and shall have general direction of the Representative Chamber in accordance with the authority granted under the Rules of the House.

4. ORDER IN GALLERY OR LOBBY. In case of any disturbance or disorderly conduct in the gallery or lobby, the Speaker or the Chair of the Committee of the Whole shall have power to order the same to be cleared.

5. FORMS OF QUESTIONS. Questions shall be put directly in this form: "Representatives in favor of (then state the proposition) say 'Aye' and, after the affirmative will be expressed, "Representatives who are opposed, say 'Nay'." If the Speaker doubt, or a roll call be requested, as provided in Rule 29, a roll call vote shall be taken.

6. SPEAKER TO APPOINT COMMITTEES. The Speaker shall appoint all committees, unless otherwise directed by the House, in which case they shall be elected by a vote of the House; and if, upon the first ballot, there be no election, a second ballot shall be taken, in which a plurality of votes shall elect. The Speaker shall, in appointing committees, give consideration to the abilities, preferences and seniority of the members and the political party representation in the House. No member shall be appointed to serve on more than three (3) standing committees, exclusive of the Committee on Calendar and Rules.

7. SPEAKER TO APPOINT COMMITTEE OFFICERS. The Speaker shall appoint one (1) chair and one (1) vice-chair for each of the standing committees and for the Committee on Calendar and Rules. The Speaker shall appoint one (1) subcommittee chair for each subcommittee. Any officer of any committee, with the approval of the Speaker, may choose to be a member of only one (1) committee. In appointing committee officers, the Speaker shall consider the abilities, preferences and seniority of members and the political party representation in the House.

8. SPEAKER PRO TEMPORE. A Speaker pro tempore of the House of Representatives shall be elected by the membership of the House during the organizational session of the General Assembly. The Speaker pro tempore shall serve until a successor is chosen or until the expiration of such speaker's term, whichever shall first occur. The Speaker pro tempore shall act during the absence of the Speaker, except that the Speaker shall have the right to name any member to perform the duties of the Chair for periods not to exceed three (3) consecutive legislative days. In the absence of the Speaker and the Speaker pro tempore, it shall be the duty of the Clerk to call the House to order and call the roll for the election of a temporary Speaker. In the event of an interim vacancy of the office of Speaker, through death or resignation, or in the event of disability of the Speaker, the Speaker pro tempore shall conduct the necessary business of the House only until such time as an election can be held in the House to fill the vacancy.

9. CHIEF CLERK. There shall be a Chief Clerk, Assistant Chief Clerk, Assistant Chief Clerk/Parliamentarian, Chief Engrossing Clerk and Chief Sergeant-At-Arms of the House of Representatives who shall be appointed by the Speaker and who shall serve until a successor is chosen. The Chief Clerk shall keep open the Office of the Clerk during and between sessions of the General Assembly on a permanent basis and shall transact efficiently such business as is assigned or required by law or rules of the House, both during and between sessions. The Chief Clerk, Assistant Chief Clerk, Assistant Chief Clerk/Parliamentarian, Chief Engrossing Clerk and Chief Sergeant-At-Arms shall take an oath to support the Constitution of the United States and of the State of Tennessee and to truly and faithfully discharge the duties of the office to the best of their knowledge and ability.

10. APPOINTMENT OF HOUSE EMPLOYEES. The Speaker shall appoint such House employees as are necessary for the proper transaction of the business of the House.

11. VOTES REQUIRED FOR CHOICE. In all votes other than those specifically provided for herein, a majority of those present and voting shall be necessary to a choice, a quorum being present.

12. ORDER OF BUSINESS. The reading of the daily Journal for the preceding day shall not be required; provided, however, that upon appropriate motions, the House may direct that the same be read. Any corrections in the Journal shall be suggested by individual members under the order of Unfinished Business.

After appropriate opening ceremonies, the Speaker shall call for the following:

- (1) Roll Call
- (2) Welcoming and Honoring
- (3) Introduction of Resolutions
- (4) Senate Joint Resolutions (Congratulatory, Memorializing)
- (5) Resolutions Lying Over
- (6) Introduction of Bills
- (7) Senate Bills on First Consideration
- (8) Senate Bills on Second Consideration
- (9) House Bills on Second Consideration
- (10) Petitions and Memorials
- (11) Reports from Standing Committees
- (12) Reports from Select Committees
- (13) Calendars
- (14) Unfinished Business
- (15) Announcements
- (16) Roll Call

13. SPECIAL ORDER. It shall require an affirmative vote by two-thirds (2/3) of the members to which the House is entitled under the Constitution to set a special order of business; however, when a motion has been made to set for a special order any bill, resolution, or motion, the motion having failed for lack of a two-thirds majority but having received a majority vote of the members of the House present, it shall be in order, upon the demand of five (5) members of the House, for the Committee on Calendar and Rules to meet and report for the adoption or rejection by a majority vote of the House a rule or order fixing a time for the consideration of said bill or measure. It shall require a majority vote of the members of the House to postpone any special order set.

14. NUMBER OF SPECIAL ORDERS PERMISSIBLE WITHOUT RE-REFERRAL. After a bill has been scheduled for third consideration, another date for third consideration may be requested, and the bill or resolution shall be so scheduled, however, any bill or resolution shall only be rescheduled three (3) times. If the House does not consider the bill or resolution on or before the fourth such scheduled time, the bill or resolution shall be automatically re-referred to the Committee on Calendar and Rules. The same shall apply to any bill or resolution that has been rescheduled without special order.

15. PETITIONS AND MEMORIALS - BRIEF STATEMENT. Before any petition or memorial addressed to the House shall be received and read at the table, a brief statement of the contents of the petition or memorial shall be filed with the Chief Clerk.

16. SYSTEM ENTRY CODE. Before any bill or resolution can be accepted by the Chief Clerk for the purpose of pre-filing and assigning a number, or any committee amendment or any other amendment in the first degree can be accepted for the purpose of attaching it to a bill, the document in question shall have a system entry code affixed thereto by the Office of Legal Services.

17. RESOLUTIONS. Resolutions shall be pre-filed with the Office of the Chief Clerk by 4:00 p.m. for introduction the following day and referral to the appropriate standing committee. However, all congratulatory and memorializing resolutions shall automatically be introduced the day of filing and placed on the next Consent Calendar in accordance with Rule No. 50.

Joint resolutions calling for joint conventions shall be referred by the Speaker to a committee consisting of the Speaker, the Majority Leader and the Minority Leader for immediate consideration. The committee shall report its recommendations concerning the proposed joint convention to the House.

18. DUTIES OF MEMBERS TOWARD SPEAKER. No member shall be recognized by the Speaker unless the member addresses the chair from such member's desk. In all cases the member who shall first rise shall be entitled to speak first; but when two (2) or more members shall rise at the same time, the Speaker shall name the member who shall speak first.

When any member is about to speak in debate or deliver any matter whatever to the House, such member shall rise, and respectfully address the chair and await the notice of the Speaker. After recognition by the Speaker, the member shall proceed with making remarks which strictly conform to the question under debate and avoid all personalities.

19. TRANSGRESSION OF RULES BY MEMBER. Any member who, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall, or any other member may, call such transgressing member to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and the House shall, if appealed to, decide the case without debate. If there be no appeal, the decision of the Chair shall prevail. If the decision be in favor of the member called to order, such member shall be permitted to proceed, without leave of the House. If otherwise, such member shall not be permitted to proceed. In case any member objects and continues, without leave of the House, and if the case require it, such member shall be liable to the censure of the House.

20. ATTENDANCE OF MEMBERS REQUIRED. No member shall be absent from service in the House without leave first obtained; and in case a less number than the quorum of the House shall convene, the Speaker is hereby authorized to send the Sergeant-at-Arms, or any other person or persons, for any or all absent members. This shall be done at the expense of such absentees, respectively, unless such excuse for nonattendance shall be rendered as the House, when a quorum is convened, shall deem sufficient.

21. TIME LIMITS OF DEBATE. Each member shall be limited to fifteen (15) minutes in such member's opening remarks and shall be limited to ten (10) minutes in rejoinder in discussion upon the floor of the House, EXCEPT by a majority of the members present, the House may increase or decrease the limitations of time herein set out for debate on a particular bill, resolution or motion.

22. PERSONS ADMITTED ON FLOOR OF HOUSE. The Sergeant-at-Arms shall admit no person into the House Chamber thirty (30) minutes prior to and during any session except

members of the General Assembly, employees of the House as designated by the Speaker of the House, employees of the Senate as designated by the Speaker of the Senate, employees of the Office of Legal Services, employees of the Office of Legislative Information Services, Fiscal Review Committee staff, as designated by the Speaker of the House, members of the Capitol Hill Press Corps as designated by the chair of the Corps and approved by the Speaker of the House, and the Chaplain and the Physician of the Day. All visitors and spectators shall have access to the gallery so long as they preserve order.

23. EVERY MOTION MUST BE SECONDED. Every motion must be seconded by some member of the House other than the proponent of the motion and upon failure of a second, the Speaker shall declare the motion failed for lack of a second.

24. MOTION REDUCED TO WRITING. The Speaker may require any motion to be reduced to writing and placed on the desk of the Clerk.

25. WHAT MOTION DEBATABLE. All motions shall be subject to debate except the following motions:

- (1) To adjourn
- (2) Lay on the table
- (3) For the previous question
- (4) For consideration of untimely filed amendment

Provided, however, the proponent of any motion sought to be tabled shall have the right to be heard after the motion to table is made and before said motion to table is put to vote.

26. PRECEDENCE OF MOTIONS. When any question or motion is under debate in the House, the following motions only shall be in order and may be entertained by the Speaker:

- (1) To adjourn
- (2) To lay on the table
- (3) For the previous question
- (4) To postpone or postpone to a day certain
- (5) To commit or recommit
- (6) To amend

Each of said motions shall take precedence in the order set out herein.

27. NO MOTION TO ADJOURN OR PREVIOUS QUESTION UNTIL FURTHER BUSINESS. When a motion to adjourn or a call for the previous question shall have been made and failed, the Speaker shall not entertain another motion to adjourn or a call for the previous question until some business has been transacted or there is progress in debate since the last motion to adjourn or a call for the previous question was voted upon.

28. WHEN MOTION NOT TO BE ENTERTAINED BY SPEAKER. After the Speaker has submitted a question or after there has been a roll call or count of the House, the Speaker shall not entertain or recognize a member on a point of personal privilege or otherwise until a decision of the House has been declared by the Chair. At any other time, a member may rise to a point of personal privilege but such member shall confine such remarks to questions affecting the rights, reputation and conduct of the member in such member's official capacity, and shall not address remarks to any question germane to substantive matters being considered.

29. DEMAND OF ROLL CALL. Any question or motion (except final passage of a bill) may be put to the House by a voice vote at the discretion of the Speaker; provided, however, that, as required by the Constitution of Tennessee, any five (5) members of the House may require a roll call of the membership of the House and said members desiring a roll call shall indicate their desire by raising their hands. All votes taken upon final passage on third consideration of a general bill and all votes taken on demand by any five (5) members as provided for shall be taken by the electronic roll call system, provided that the Speaker may require the calling of the names of the members in alphabetical order and each member shall then answer "Aye" or "Nay" when such member's name is called by the Clerk without debate. Whenever the electronic roll call system is used, the Clerk shall preserve the record of the votes of the members by making the printed roll call as authenticated by the roll call system a part of the rough journal. All members casting votes by the electronic roll call machine shall be at their proper desks at the time for voting with the exception of the Speaker and sponsor moving passage of the bill under consideration. No member shall vote for another member on the electronic roll call system or otherwise. A member temporarily away from their desk, but within the House Chamber, may request the Clerk to record their vote before the result is announced by the Speaker. If a member is deemed absent by the Clerk during voting, the Clerk shall lock the member's electronic roll call machine. In the event the electronic roll call system is inoperative, all questions shall be put to the House by voice vote or by calling the roll as circumstances may require.

30. EXPLANATION OF VOTE. Any member may have written into the Journal an explanation of such member's vote on any particular motion, resolution, or bill by presenting to the Clerk an appropriate explanation in typewritten form. However, an oral explanation is not a matter of privilege and shall not be allowed from the floor.

31. CHANGE OF VOTE. Any member's vote on a roll call vote may be changed if such member requests such change before the result of the roll call is announced by the Speaker. After the result of the roll call is announced by the Speaker, no member may change such vote and the Journal entry shall not be altered. However, any member not voting at the time the roll call was taken, or any member voting on the original question but wishing to express a desire to change such member's original stand, may, have entered on the Journal a typewritten statement of support of or opposition to the question upon which the vote was taken.

32. APPEALS TO HOUSE ON RULINGS OF SPEAKER. Any five (5) members of the House may appeal to the House from the ruling of the Speaker and a majority vote of the members present shall decide the appeal.

No member shall speak more than twice on the appeal except with the permission of the majority of the members present

33. WHO MAY ADDRESS SPEAKER. No one may address the Speaker except a member of the House.

34. DIVISION OF QUESTION IN DEBATE. If the question in debate contains several points, any member may have the same divided; but no bill shall be divided on third and final consideration.

35. OTHER PAPERS AND VISUAL AIDS. When the reading of a paper is called for and the same is objected to by any member, it shall be decided by a vote of the House without debate. Distribution of other papers to the desks of the members shall be restricted to general announcements only, can only be accomplished upon request of a member of the House and

must reflect the name of the requesting member. Members shall not enter any meeting of the House, its committees, its subcommittees, Joint Conventions, or joint committees with props or personal displays of any kind that may be used as a visual aid for the advocacy of, or in opposition to, any legislation or political message whatsoever.

36. PREVIOUS QUESTION. The previous question shall only be admitted when demanded by two-thirds (2/3) of the members present. It may be applied to the main question, the main question and amendment, or to the main question and amendment to the amendment. If the question prevails on the main motion, its effect shall be to preclude all future amendments and terminate all debate. When a member's turn to be recognized comes and that member, during that turn of recognition, wishes to call the previous question, the member may not debate that issue at that time, but must only move for the previous question. The proponent of the motion, amendment, resolution or bill shall have the right to close the debate thereon, and no call for the previous question shall cut off this right. However, when the demand for the previous question has been made and rejected under the foregoing provision but received a majority vote of the members of the House, it shall be in order, upon the demand of any five (5) members of the House, for the Committee on Calendar and Rules to meet and fix or limit the time in which debate on said question shall be closed, which decision shall be binding upon all membership of the House.

37. TABLED MOTION - HOW REMOVED, ETC. When any bill, resolution, or motion is laid on the table by a vote of the House, it shall require a two-thirds (2/3) vote of those members present to take it from the table; but it shall require only a majority of the votes (a quorum being present) to lift from the table a vote rejecting a bill, resolution, or a motion.

38. BILLS DISPLACED BY SUBSTITUTION TABLED. When a bill has been substituted for another bill, the bill displaced by the substitution shall be considered as tabled.

39. WHEN BILL OR RESOLUTION FAILS TO RECEIVE CONSTITUTIONAL MAJORITY. When any bill or resolution is voted upon, but fails to receive a constitutional majority, the same shall be automatically re-referred to the Committee on Calendar and Rules and shall not be set again for a calendar unless it is recommended by two-thirds (2/3) of the committee members entitled to vote at a meeting of the committee. Any bill so rereferred during the final seven (7) days of the session shall not be again placed on the calendar for consideration during that session unless called for by a favorable vote of two-thirds (2/3) of the members to which the House is entitled under the Constitution, in which case it shall be placed in the next available position on the calendar for a succeeding day. However, no bill or resolution may be voted on more than twice during this General Assembly.

40. MOTION TO RECONSIDER FOLLOWING FINAL PASSAGE. When a vote on final passage of a bill has been made and carried in the affirmative or negative, it shall be in order for any member voting with the prevailing side to move for a reconsideration thereof, at any time the same day or the next succeeding day of actual session. If the member moving the reconsideration shall request that motion be entered upon the Journal, it shall be done, and such member shall have exclusive control of the motion during that day and the next succeeding day of actual session; providing the motion has been duly seconded; and the motion shall be a privileged motion, taking precedence, when called up, over all other business. Thereafter, it may be called up by any member and disposed of by the House; however, no motion to reconsider a reconsideration shall be in order.

41. NO CROWDING ABOUT CLERK'S DESK. Members shall not crowd or stand about the Clerk's desk.

42. WHO ALLOWED IN ROOMS OF CLERKS. No persons other than members and employees of the General Assembly shall be allowed in the offices of the Chief Clerk and Chief Engrossing Clerk during the period the House is in floor session.

43. INFORMATION REQUIRED ON COVERS OF BILLS AND RESOLUTIONS. Every bill or resolution introduced shall be typewritten on not less than a full page of paper.

Each bill or resolution shall be enclosed in a manuscript cover and shall bear the signature(s) of the sponsor(s) on said cover and said cover shall also contain a succinct statement of the purpose or nature of said bill or resolution.

No member shall be permitted to be added as a sponsor to a bill or resolution without the written permission or the electronic approval of the first prime sponsor; provided, however, if a piece of legislation purports to name a public facility (bridge, building, etc.), the member who represents the district in which said facility lies shall be allowed to be added as a prime sponsor. Only the first prime sponsor may request that a bill be put on notice. However, the first prime sponsor may designate in writing, filed with the office of the house clerk, such other prime sponsor(s) who shall have all the rights of the first prime sponsor as to action on a bill.

The Chief Clerk shall delete the name of any member who is not the only prime sponsor from any bill or resolution upon receipt of such request in writing. The first prime sponsor may request the Chief Clerk delete the name of any member who is a co-sponsor of any bill or resolution upon receipt of such request in writing.

When a member introduces a bill or resolution, the Clerk shall immediately give the same a House number.

44. FILING OF BILLS FOR INTRODUCTION.

(a) Bills which have not been assigned a system entry code by the Office of Legal Services shall not be accepted for filing or pre-filing by the Office of the Chief Clerk.

(b) All bills for introduction shall be filed with the Chief Clerk no later than 4:00 p.m. on the day preceding the date of introduction.

(c) In the interim between sessions, any member of the House may pre-file a bill or resolution for introduction in the next session and the procedure shall be as follows:

(1) The bill or resolution shall be filed with the Chief Clerk of the House by the member in the number and form prescribed by the Rules of the House.

(2) The Chief Clerk shall number the bill or resolution and note thereon the date of the first day of the next session, on which the bill or resolution will be introduced and, in the case of bills, will pass first consideration.

(3) After written request of the sponsor of a pre-filed bill or resolution, the Speaker of the House may refer the bill or resolution to the appropriate committee to be studied and considered by the committee, or a subcommittee thereof, during the interim between sessions.

(d)

(1) No member may file more than fifteen (15) bills during each annual session of a General Assembly, except that a chair of a standing committee may file an additional five (5) bills on subjects that pertain to the committee of which he or she chairs.

(2) For the purposes of this Rule 44(d), "bill" means general bills and resolutions, except as provided in subdivision (3).

(3) The following general bills and resolutions are excluded from the limits imposed by this Rule 44(d):

(A) General bills of local application as specified in their captions and local bills;

(B) Administration bills and resolutions, limited to seventy-five (75) per annual session exclusive of bills and resolutions otherwise exempt from the limitation in this subsection;

(C) Resolutions approving amendments and revisions to rules of procedure promulgated by the Supreme Court and the annual codification act;

(D) Annual appropriations bills, supplemental appropriations bills, bond bills, index bills and bills that contain in their caption the following language, "relative to statutory revisions required for implementation of the annual appropriations act";

(E) General bills sponsored and designated by an officer of the Government Operations Committee concerning extensions and terminations of entities or rules;

(F) Resolutions that are memorializing or congratulatory in nature and are not referred to a standing committee;

(G) Resolutions confirming appointments or authorizing annual charitable events;

(H) Resolutions that are procedural in nature and are not referred to a standing committee;

(I) Resolutions that are procedural in nature and sponsored by the chair of the ethics committee concerning matters within the scope of the ethics Committee;

(J) Any bill or resolution withdrawn from the House by the first prime sponsor, if withdrawn on or before the bill filing deadline.

(e) Notwithstanding the bill filing limitation in Rule 44(d), any member may petition the rules committee for an exception to exceed the limitation on or before the bill filing deadline. Any such petition shall include the reasons for the exception and the jacketed copy of the bill or resolution for which the exception is sought. If

approved by a majority vote of the total membership of the rules committee, the bill or resolution shall be filed for introduction.

45. BILLS TO BE NUMBERED. Each bill introduced shall be numbered in numerical order by the Clerk and said bill shall bear said number and be designated by said number in all future considerations of the same in the House. No bill shall be assigned a number by the Clerk or be referred by the Speaker to a committee for consideration unless it contains a title or caption; an enacting clause stating, "Be it enacted by the General Assembly of the State of Tennessee:" and language following the enacting clause purporting to state new law or to amend or repeal existing law. Further, no bill that has not been assigned a system entry code by the Office of Legal Services shall be accepted or numbered by the Office of the Chief Clerk.

46. ONE CONSIDERATION PER DAY'S SESSION. Only one (1) consideration of a bill may be had in the House in any day's session.

47. SECOND CONSIDERATION - REFERRED TO COMMITTEE. After the passage of a bill on second consideration, all bills shall be referred by the Speaker to the appropriate committee. A bill assigned to a committee may be reassigned to a different committee only at the discretion of the Speaker. Such reassignment shall be noted by the Clerk. Any bill certified by its sponsor to be a caption bill or which is deemed so by the Speaker, shall receive first and second consideration and then shall be held on the Clerk's desk pending the filing of an amendment in proper form. After the filing of the amendment, the bill shall be referred by the Speaker to the proper committee. Any caption bill that fails to state a subject shall be held on the Clerk's desk until withdrawn by the sponsor.

48. SUBSTITUTE SPONSOR OF LOCAL BILL. Should a Member be on active military duty and unable to attend legislative session then the Speaker may appoint another member to handle the affected members duties and rights with respect to Local Bills.

49. DUTIES OF COMMITTEE ON CALENDAR AND RULES CONCERNING CALENDAR. All bills having been considered and reported out of the standing committee to which referred shall be automatically transmitted to the Committee on Calendar and Rules without further reference by the Speaker.

50. CONSENT CALENDAR. Any bills or resolutions which are not controversial in nature shall be placed on a Consent Calendar by the officers of the Committee on Calendar and Rules, except for those resolutions placed on the Consent Calendar pursuant to Rule No. 17.

Any member may object in writing to a bill or resolution on the Consent Calendar and if objection is raised, the bill or resolution shall be removed from the Consent Calendar and placed at the foot of the regular calendar for consideration on the day following removal from the Consent Calendar; provided, however, that any bill or resolution objected to and removed from the Consent Calendar on the final day of a session shall be placed at the foot of the regular calendar on that day.

Upon a motion for passage of the Consent Calendar pursuant to Rule 50, the appropriate language shall be spread in the Journal:

"all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate Joint Resolutions confirming

appointments on the Clerk's desk be substituted for House Joint Resolutions confirming the same appointments, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in."

51. SPONSOR OF BILL AND CHAIR OF STANDING COMMITTEE PROPOSING AMENDMENT TO BILL MUST BE PRESENT. No bill may be considered on third and final reading unless the sponsor of said bill and the chair, or the chair's designee, of a standing committee which has recommended any amendment or amendments to the bill shall be present in the House, unless such sponsor or chair shall have previously indicated in writing to the Speaker permission for same to be brought up in such member's absence. However, if such sponsor, the chair or the chair's designee is not present in the House within one (1) hour from the time the bill is reached on the calendar, or the calendar is completed, this requirement is waived and the House may proceed to consider the bill in the absence of such sponsor, the chair or the chair's designee.

52. SUBSTITUTE SPONSOR OF BILL. Upon the resignation, death, or disability requiring the absence from the House of any sponsor of a bill, the Speaker may name one (1) of the cosigners of said bill as sponsor, and if only one (1) person shall have signed said bill as sponsor, and said sponsor becomes unable to be present in the House, the Speaker may name any person favorable to said bill as sponsor.

53. RECALL OF BILL FROM COMMITTEE. Except during the organizational session, after any bill or other matter shall have been in any standing committee for seven (7) days, the same may be called for by two-thirds (2/3) of the members to which the body is entitled under the Constitution and placed upon the calendar of the Calendar & Rules Committee. Such action shall be in order only after a signed notice giving the number of the bill to be called for has been filed with and announced by the Clerk at least one (1) day prior to offering a motion to withdraw said bill from the standing committee in which it is held. When a bill has been recalled from a standing committee to which it was assigned by the Speaker, it shall be placed at the top of the Calendar & Rules calendar on the next day on which the committee meets. This rule (rule 53) may not be suspended.

54. RECALL OF BILL OR RESOLUTION FROM SENATE OR GOVERNOR. Upon motion, the House acting by the written message of the Clerk may request the return of a bill or resolution from the Senate. If a bill has been transmitted to the Governor, upon motion, the forwarding body acting by written message of the Clerk may request the return of the bill or resolution from the Governor.

55. BILL MAY BE RECOMMITTED. After commitment and report thereof to the House, at any time before its passage, a bill may be recommitted, provided the recommitment of the bill during the last seven (7) days of a session shall prohibit further consideration of the bill during that session unless recalled under Rule 53.

56. PRECEDENCE OF SENATE BILLS. Bills coming from the Senate shall have precedence of bills in the House on the same subjects.

57. CERTIFIED BY CLERK. When a bill shall pass it shall be certified by the Clerk, noting the day of its passage at the foot thereof.

58. BILLS TO BE EXAMINED BY CHIEF ENGROSSING CLERK. All bills passed in the House shall, before they are sent to the Senate, be examined by the Chief Engrossing Clerk, whose duty it shall be to examine all bills, amendments, resolutions or motions, before they go out of the possession of the House, and to make report that they are correctly engrossed, which report shall be entered in the Journal. The Chief Engrossing Clerk shall correct any misspelled words in such documents prior to transmission.

59. CONCURRENCE OF HOUSE IN SENATE AMENDMENTS. When a House bill is returned from the Senate with an amendment or a substitute for the House bill, the "ayes" and "noes" shall be called for on the concurrence in the amendment or the passage of the substituted bill and entered on the Journal of the House. No said amendment or substituted bill shall be considered as concurred in or passed unless a majority of the members to which the House is entitled shall have voted affirmatively therefor and the said vote shall have been entered on the Journal.

The Chief Clerk will see that an impact summary of the Senate action on the measure as prepared by the Office of Legislative Information Services is placed on a special Senate Message Calendar. The impact summaries will appear in numerical order regardless of the nature of the measure.

60. AMENDMENTS TO BILLS.

(a) No amendment beyond the second degree shall be entertained, that is, an amendment to an amendment; and in all such cases, the vote on the respective amendments shall be had in the reverse order in which the same were made.

(b) Except for amendments correcting grammatical or typographical errors, those simply changing dates or the effective date clause or amendments offered on the last day of any general session, the following shall apply to amendments offered by members of the House:

(1) Notice of the proposed amendment or amendment to an amendment has been given by two (2) hours prior to the beginning of session on the day of its consideration by the House. A copy of the proposed amendment or amendment to an amendment shall be made available to each member of the House; or

(2) The amendment has been considered by the standing committee which considered the bill itself, and the Committee has made a recommendation concerning the adoption of the amendment in the same manner that the Committee made its recommendation concerning the passage of the bill, a copy of said amendment shall be made available to each member of the House prior to a vote on same; or

(3) With the approval of both leaders or by a two-thirds (2/3) vote, of the members present and voting, for consideration of the amendment if there has not been compliance with either subdivisions (1) or (2) above.

(c) The sponsor of an amendment that has not been filed in compliance with House Rule 60 (b) shall be limited to a one (1) minute explanation of the amendment to be considered.

61. TABLING OF AMENDMENT KILLS SAME. When a motion to lay on the table an amendment, in the first or second degree, to a pending bill, resolution or other matter, prevails, it

shall be a final defeat of the tabled amendment, and the further consideration of such bill, resolution, or other matter, may be at once continued.

62. NO RIDER. No amendment by way of a rider shall be received.

63. MOTION TO REJECT. When a bill receives a constitutional majority in the negative on a motion to pass on third and final consideration, or when a resolution receives a constitutional majority in the negative on a motion to adopt or concur on final consideration, the Speaker, after the announcement of the vote by the Clerk, shall say "(document type and number), having received a constitutional majority in the negative on a motion to pass on third and final consideration (or adopt or concur), I hereby declare the floor now open for a motion to reject." If a member makes the motion to reject, that motion and the bill or resolution in question will lie over the remainder of that legislative day and the Speaker will direct the Chief Clerk to place the bill or resolution in question at the heel of the regular calendar set for the next legislative day.

When a bill or resolution is considered on the next legislative day, no other motion shall be in order until the motion to reject has been disposed of and the Speaker has declared the final status of the bill or resolution in question. If the motion to reject passes, the Speaker, after the announcement of the vote by the Clerk, shall say "(document type and number), having received a constitutional majority in the negative on the motion to pass on third and final consideration (or adopt or concur), and having received a constitutional majority in the affirmative on the motion to reject, I hereby declare (document type and number) rejected under the terms set forth in Article II, Section 19, of the Constitution of the State of Tennessee."

If no motion to reject is made, or if a motion to reject is made and fails to receive a constitutional majority, the Speaker shall re-refer the bill or resolution in question to the Committee on Calendar and Rules.

If the motion to reject as provided for in this rule is passed, then (a) pursuant to Article II, Section 19, Tennessee Constitution, no bill containing the same substance shall be passed into a law during this General Assembly, and (b) the motion to reconsider shall be out of order.

Motions to reject shall not be in order except as provided above.

64. MOTION TO RECONSIDER EVERY BILL MUST BE ACTED UPON. The Clerk shall transmit to the Senate no bill, resolution, message, report, amendment, or motion nor shall the Chief Engrossing Clerk present any bill or resolution to the Governor for his action until the motion to reconsider shall have been acted upon and said action entered on the Journal.

65. STANDING COMMITTEES. There shall be the following standing committees, each of which the Speaker and the Speaker Pro Tempore shall be members, to wit:

- (1) *Education 12*
- (2) *Education 345*
- (3) *Finance Tax*
- (4) *Finance, Ways, & Means*
- (5) *Government Operations*

Provided, however, the Speaker Pro Tempore shall only vote when the Speaker is not present and voting, except on those standing committees to which the Speaker Pro Tempore has been regularly assigned.

There shall be a committee on Calendar and Rules to be appointed by the Speaker. It shall set the calendar. No standing committee shall have more than thirty (30) appointed members. No member shall serve on more than three (3) standing committees, exclusive of the Committee on Calendar and Rules, the Joint Legislative Services Committee, and the Fiscal Review Committee, except the Speaker and the Speaker Pro Tempore who shall be voting members of all standing committees as stated in the rule (65).

66. NO SPECIAL COMMITTEES - WHEN. No special committee shall be appointed for any purpose when there is a standing committee on the same subject.

67. MEETING OF COMMITTEES - WHEN. No committee of this House shall remain in session during the sessions of the House, unless by permission of a majority of members present. All committee meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the Chair. Committee meetings may be called by the Chair of the Standing Committee, upon approval by the Speaker of the House when the House is in recess or adjourned and shall be called by the Committee Chair when petitioned in writing, signed by a majority of the members of the Committee. Notwithstanding any rule to the contrary, when the House of Representatives is not in floor session, standing committees, subcommittees, committees created pursuant to resolution, committees created pursuant to statute and ad hoc committees of the Regular Session are authorized to meet and conduct business during any extraordinary session of the General Assembly.

68. COMMITTEE OF WHOLE. In forming a Committee of the Whole, the Speaker shall leave the chair, and the Speaker shall appoint a Chair of the Committee of the Whole to preside.

69. PROCEEDINGS IN COMMITTEE OF THE WHOLE. Upon a bill being committed to a Committee of the Whole, the bill shall be read throughout by the Clerk, if demanded by any member, and then again read and debated by clauses, leaving the preamble to be last considered. The body of the bill shall not be defaced or interlined; but all amendments, noting the page and the line, shall be duly entered by the Clerk on a separate paper, as the same shall be agreed to by the Committee, and so reported to the House. After report, the bill shall again be debated and amended by clauses before its final passage. The rules of the House shall be observed in Committee of the Whole so far as applicable, but no member shall speak twice to any question until every member choosing to speak shall have spoken.

70. AMENDMENTS IN COMMITTEE OF WHOLE. All amendments made to a report committed to a Committee of the Whole shall be noted and reported, as in the case of bills.

71. AMENDMENTS IN STANDING COMMITTEES AND BILLS INITIATED BY STANDING COMMITTEES. The standing committees may initiate legislation as a committee in addition to acting upon legislation referred to such standing committees. Such legislation initiated by the committee shall be introduced by the chair or the chair's designee and such other members of the committee as may wish to join therein.

When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority vote of the standing committee, the committee chair shall cause such committee amendment or amendments to be prepared in proper typewritten form and filed with the Chief Clerk of the House. Bills reported out of standing committees with committee amendments cannot be considered by the Committee on Calendar and Rules unless the committee amendment is attached thereto. The Chair of said standing committee shall cause said committee amendment to be prepared and filed with the Chief Clerk

within twenty-four (24) hours from the time the bill was reported out. The preceding two (2) sentences shall not apply to annual appropriations bills, supplemental appropriations bills, bond bills, index bills and bills that contain in their caption the following language, "relative to statutory revisions required for implementation of the annual appropriations act". No committee amendments shall be accepted by the Chief Clerk for filing unless said amendment is labeled with a system entry code assigned by the Office of Legal Services.

After the bill has been explained and its passage moved by the sponsor, the chair of the standing committee recommending the amendment, or chair's designee, shall then be recognized for the explanation of and debate on such amendment or amendments. It shall be the responsibility of the Chief Clerk to ensure that the foregoing procedures are observed in the consideration of amendments recommended by standing committees.

72. FISCAL MEASURES. Any bill or resolution having a fiscal effect, other than not significant as indicated on the fiscal note, shall be referred to the Committee on Finance, Ways and Means after consideration by the appropriate standing committee. The Committee on Finance, Ways and Means may offer committee amendments relating to fiscal concerns only, and shall not offer amendments relating to other substantive portions of the bill. If the Committee on Finance, Ways and Means recommends the bill or resolution for passage, the bill or resolution shall be referred to the Committee on Calendar and Rules. No bill or resolution having a fiscal effect, other than not significant as indicated on the fiscal note, shall be put upon final passage until the same has been referred to and recommended by the Committee on Finance, Ways and Means.

Should a standing committee recommend a bill or resolution for passage with an amendment or amendments which create a fiscal effect, other than not significant as indicated on the fiscal note, then, the chair of the standing committee shall refer the bill along with the recommended committee amendment or amendments to the Committee on Finance, Ways and Means.

Should a standing committee recommend a bill or resolution for passage with an amendment or amendments which negate a fiscal effect as indicated by not significant on the fiscal note, the standing committee shall not refer the bill or resolution to the Committee on Finance, Ways, and Means unless the subject of the bill or resolution is within the subject matter jurisdiction of the Committee on Finance, Ways, and Means but shall instead refer the bill or resolution to the otherwise appropriate committee. However, should an amendment or amendments which negate a fiscal effect not be adopted on the floor which cause the bill or resolution to have a fiscal effect and such bill or resolution not have been previously considered by the Committee on Finance, Ways, and Means, then the bill or resolution shall be automatically referred from the floor to the Committee on Finance, Ways, and Means.

Should a floor amendment or amendments to a bill or resolution be adopted which cause a bill or resolution to have a fiscal effect, other than not significant as indicated on the fiscal note, and the bill or resolution not have been previously considered by the Committee on Finance, Ways and Means, then the bill or resolution shall be automatically referred from the floor to the Committee on Finance, Ways and Means.

73. CONFERENCE COMMITTEES. A motion for the appointment of a conference committee shall be in writing and shall state the purpose or purposes for which the committee is created. Every conference committee report shall refer to the motion by which the committee was created and shall set forth the instructions contained therein followed by the recommendations of the

committee which shall conform to such motion and its instructions. No member of a conference committee may sign more than one (1) report. No report of a conference committee or any part thereof shall be adopted and incorporated into pending legislation unless the same shall have received the affirmative vote of a majority of the members to which the House is entitled under the Constitution and a motion to reconsider shall have been acted upon and entered on the Journal.

74. CHANGE AND SUSPENSION OF RULES. The rules of the House may be altered, amended, or suspended by a two-thirds (2/3) vote of the members to which the House is entitled; a motion to alter or amend, but not suspend, the rules shall in all cases lie over one (1) day. This rule (Rule 74) may not be suspended on motion to alter, amend, or suspend the rules. A motion to suspend the rules shall be for a stated purpose and subsequent suspension of the rules shall be limited to that stated purpose.

75. ADJOURNMENT. Adjournment shall be to the hour of 12:30 p.m. on the following day unless otherwise specified by the majority of those members present and voting.

76. ENTER RULINGS. The Clerk of the House shall enter on the Journal all rulings by the Speaker on points of order. The Clerk or any member may request that the Speaker submit such ruling in writing at the close of the day on which the ruling was made.

77. ACTION ON BILLS INTRODUCED AFTER 10th DAY. The bill filing deadline shall be the tenth (10th) legislative day the House convenes for the transaction of business in any regular legislative session unless otherwise specified by the Speaker in consultation with the Majority Leader and the Minority Leader. Except as otherwise provided in this rule, any bill or resolution subject to the filing limitation of Rule 44(d) and those exempted in rule 44(d)(3) sections (B), (D) and (E) prefiled after the bill filing deadline shall be prefiled for introduction and referred to the delayed bills committee. If approved by unanimous consent of the delayed bills committee, the bill or resolution shall be introduced.

Any Senate Joint Resolution introduced in the Senate after the bill filing deadline in the House which would be subject to the filing limitation of Rule 44(d) if introduced in the House shall, upon receipt from the Senate, be referred to the delayed bills committee. If approved by unanimous consent of the delayed bills committee, the Senate Joint Resolution shall be referred to the appropriate committee.

Any Senate Bill for which no companion bill has been filed shall be held on the desk of the Clerk until a companion House Bill is filed and scheduled for third consideration.

Any bill or resolution prefiled but not receiving unanimous consent of the delayed bills committee may be called for by two-thirds (2/3) majority of the members to which the body is entitled under the Constitution, in which case it shall be introduced.

The Delayed Bills Committee shall consist of the Speaker, the Majority Leader, and the Minority Leader and shall meet at the call of the Speaker.

78. VETO. Upon receipt of a veto message and return of a bill or resolution from the Governor, or a receipt of a message from the Senate advising the House that a bill or joint resolution has been passed by the Senate, the Governor's veto notwithstanding, the Clerk shall read the message and cause the same to be spread at large upon the Journal. Thereafter, the sponsor of the bill or resolution may, upon twenty-four (24) hours typewritten

notice and within three (3) legislative days after the filing of said notice, except the last legislative day of any annual session such notice shall not be required, move the House under the item of Unfinished Business to pass the bill or resolution, notwithstanding the objections of the Executive. If the motion shall prevail by a favorable vote of a majority of the members to which the House is entitled under the Constitution, the bill or joint resolution shall then be transmitted to the Senate unless the same was originally received from the Senate subsequent to its prior approval.

Nothing in this rule shall serve to prohibit the filing of subsequent notices to move the House to pass the bill or resolution, notwithstanding the objections of the Executive, if affirmative action is not taken on the motion first noticed.

79. MASON'S MANUAL OF LEGISLATIVE PROCEDURE TO GOVERN. If any question shall arise which is not provided for in these rules, the same shall be governed by Mason's Manual of Legislative Procedure (latest edition existing on date of adoption of these rules), which is hereby adopted.

80. FLOOR PRESENTATIONS. Each member shall be allowed two (2) floor presentations during the 112th General Assembly. Presentations are not transferable between members.

81. ELECTION CONTESTS. Each election contest in the House of Representatives shall be initiated by complaint timely received within five (5) days after certification of the election and shall proceed with the introduction of a resolution creating an ad hoc committee to be appointed by the Speaker composed of three (3) members of the majority party and three (3) members of the minority party. The Speaker shall designate one (1) member chair. An ad hoc committee may, as part of its findings and recommendations, recommend the award of reasonable costs and attorney fees against a contestant if the committee determines that the contest was maliciously or frivolously prosecuted. All issues raised in an election contest shall be resolved during the General Assembly in which the contest is initiated and no issue shall be heard after such General Assembly adjourns *sine die*. An ad hoc committee shall timely report its findings and recommendations to the full House of Representatives. Upon approval by a majority of the members of the House, such findings and recommendations shall become the final action of the House of Representatives.

82. ETHICS CODE FOR THE HOUSE OF REPRESENTATIVES.

Article I.

Findings and Purpose

The House of Representatives finds that it is essential in the conduct of the public business that representatives hold the respect and confidence of the people. Representatives should avoid conduct that even appears to violate the trust that the people have placed in them. To ensure and preserve public confidence, representatives should have the benefit of specific standards to guide their conduct. Article II, Sections 11 and 12, of the Constitution of Tennessee grant to the House of Representatives the power to judge qualifications and discipline its members. It is the purpose of this code to establish standards of conduct for the representatives, to authorize the House Ethics Committee to consider alleged violations of this code, and to authorize the House Ethics Committee to render advisory opinions to the representatives. This code is in addition to and separate from standards of conduct that may be required under state or federal law.

Article II.
Ethical Standards

SECTION 1.

(a) In order to maintain the integrity and reputation of the House of Representatives, the following conduct is a violation of this Ethics Code:

(1) Actions that destroy a representative's independence of judgment as a legislator;

(2) Actions that are an abuse of the representative's official position, including, but not limited to, placing undue influence upon any state department, agency, court or governmental subdivision;

(3) Actions that are a personal interest in conflict with the proper discharge of the representative's duties in accordance with the provisions of Sections 2 and 3 of this Article;

(4) Actions that are a violation of a state or federal statute that are punished as a felony; and

(5) Any conviction of a state or federal felony or misdemeanor arising out of a representative's official capacity as a member of the general assembly.

(b) Actions that constitute a significant, material violation of Tennessee Code Annotated Title 2, Chapter 10, Title 3, or Title 8, Chapter 50, Part 5 may be a violation of this Ethics Code.

(c) It shall also be a violation of this Ethics Code if a representative:

(1) Initiates or files a complaint or provides information to the House Ethics Committee or the Tennessee Ethics Commission knowing that the material statements in the complaint or the information is false;

(2) Initiates or files a complaint with the House Ethics Committee or the Tennessee Ethics Commission in reckless disregard of the truth or falsity of the statements contained in the complaint; or

(3) Initiates or files one or more frivolous complaints with the House Ethics Committee or the Tennessee Ethics Commission.

SECTION 2. A representative has a personal interest in conflict with the proper discharge of the representative's duties if the representative has reason to believe or expect that the representative will derive a direct monetary gain or any other advantage or suffer a direct monetary loss by reason of the representative's official activity and such representative has not complied with the provisions of Section 3 of this Article requiring disclosure of such personal interest.

SECTION 3. While recognizing that members of the House serve as members of a citizen legislature which reflects a variety of professions and occupations and while also recognizing that

some degree of interest in certain legislation is inevitable, a representative shall not vote on or influence legislation if the member has a personal interest which is in conflict with the proper discharge of the representative's duties unless the representative discloses such information to the Tennessee Ethics Commission in accordance with the requirements of Tennessee Code Annotated, Section 2-10-128 and Title 8, Chapter 50, Part 5. Compliance with the provisions of Tennessee Code Annotated, Section 2-10-128 and Title 8, Chapter 50, Part 5, shall constitute compliance with this Article regarding disclosure of personal interests provided that a disclosure filed with the Tennessee Ethics Commission is amended to disclose a new personal interest prior to a member's action on a matter so interested.

Article III.
Indictments and Convictions

A representative against whom a presentment or indictment for a felony offense has been returned by a state or federal grand jury shall step down from any office as the chair, vice-chair, subcommittee chair, or any other officer of the House, a legislative committee or any leadership position appointed by the Speaker or elected either by the House membership or by a party caucus. The replacement of any committee officer or leader, appointed by the Speaker, who steps down shall be in accordance with the rules. If such officer or leader is not convicted of the felony offense, such officer or leader may return to serve the remainder of the officer's or leader's term of office subject to the decision of the person or entity with authority to appoint or elect them to the position. The membership or the appropriate caucus shall elect a representative to replace any leader elected by the membership or caucus who steps down, except as otherwise provided in these rules.

Article IV.
House Ethics Committee

SECTION 1.

(a) The House Ethics Committee shall be composed of five (5) representatives of the majority party and five (5) representatives of the minority party. All representatives shall be appointed by the Speaker. The Speaker shall appoint the chair of the committee from such representatives.

(b) The House Ethics Committee shall have authority to render, upon written request of any representative, advisory opinions as to whether the facts and circumstances of a particular case constitute or will constitute a violation or probable violation of this Ethics Code. The identity of any representative requesting an advisory opinion, or any person involved in such request, shall be kept in confidence. With respect to an issue addressed in an advisory opinion, any person who conforms that person's behavior to the requirements of the advisory opinion may rely upon the advisory opinion without threat of sanction by the House Ethics Committee or the House of Representatives. Advisory opinions of the committee shall be in writing and signed by six (6) or more members of the committee.

(c)

(1) The committee shall have authority to receive and consider complaints, based upon personal or constructive knowledge, concerning alleged violations of this House Ethics Code from any representative including members

of the committee; to initiate, upon vote of six (6) or more members of the committee, complaints concerning alleged violations of this House Ethics Code; to investigate complaints; to refer complaints to the Tennessee Ethics Commission in accordance with Tennessee Code Annotated, Section 3-6-105(c); to hold hearings; to make findings concerning complaints; and to recommend to the House of Representatives appropriate disciplinary action for a violation of this House Ethics Code.

(2) The committee may request the Office of Legal Services, the Comptroller of the Treasury, the Attorney General and Reporter, or any other state entity to assist the committee in investigating any complaint received or initiated by the committee.

(3) Except as provided in Section 1(c)(4)(B) and Section 2(c)(5)(C), all meetings of the House Ethics Committee shall be open to the public. All meetings of the House Ethics Committee held in a meeting room with permanent video technology shall be streamed live, and archived, on the web site of the Tennessee General Assembly.

(4)

(A) Except as provided in subdivision (4)(B), no complaint by a member of the House of Representatives alleging workplace discrimination or harassment shall be received or considered by the committee. The chair, or committee staff, shall inform any member desiring to file such a complaint as to the appropriate procedure under the Tennessee General Assembly Policy on Workplace Discrimination and Harassment. Workplace discrimination and harassment by members of the House of Representatives is unacceptable behavior, contrary to the policy of the Tennessee General Assembly, and discouraged in every form.

(B) In accordance with the Tennessee General Assembly Policy on Workplace Discrimination and Harassment, upon conclusion of the staff investigation under the policy, the complaint will be referred to the Workplace Discrimination and Harassment Subcommittee of the Ethics Committee for additional proceedings consistent with the policy. All meetings of the subcommittee shall be closed. In accordance with the policy, confidentiality of the parties involved shall be maintained to the greatest extent possible. The subcommittee shall be composed of two (2) representatives of the majority party and two (2) representatives of the minority party. All representatives shall be appointed by the Speaker. The Speaker shall appoint the chair of the subcommittee from such representatives. If a member of the subcommittee is the subject of a complaint or is recused, subcommittee staff shall notify the Speaker. The Speaker shall appoint a temporary replacement from the full committee who represents the same political party as the member to be replaced.

(d) The committee shall have authority to subpoena and compel the attendance of witnesses, administer oaths, take testimony, and require and compel the production of any documents or other items of evidence relative to any matter under investigation, and

to issue show cause orders and attachments of the body. In accordance with the provisions of Tennessee Code Annotated, Title, 3, Chapter 3, the House Ethics Committee shall have all the powers granted to committees of this House.

SECTION 2.

(a) Complaints shall be in writing, signed by at least two representatives, stating the specific ethical standard under Article II, Section 1 of this code or specific statute alleged to have been violated and all available facts, under oath or affirmation, based on personal or constructive knowledge, which oath or affirmation shall be taken personally before the chair or any member of the House Ethics Committee.

(b) Complaints initiated by the House Ethics Committee shall be reduced to a written complaint by the Chair of the House Ethics Committee, and need not be based on personal knowledge. Any person who believes a violation of this Ethics Code has occurred is encouraged to present such information to any member of the House Ethics Committee who may then determine to file a complaint under this Ethics Code.

(c)

(1) Prior to commencing any action based upon a complaint filed with the committee, the chair shall direct committee staff to examine the complaint to determine procedural compliance with the provisions of this code and whether it states a claim that can be properly heard by the Ethics committee. A complaint not properly received or filed with the committee shall be dismissed without prejudice. Committee staff shall inform any representative desiring to file such a complaint as to the appropriate procedure under this code for filing such a complaint. Complaints merely reciting, or referencing, newspaper or other media accounts of events or occurrences are not sufficient to file a complaint under this code; any complaint based partially on newspaper or other media accounts of events or occurrences should include at least one independent source in addition to such accounts.

(2) Prior to commencing any investigation based upon a complaint filed with, or initiated, by the committee, the committee shall meet and it shall require a vote of six (6) or more members of the committee to proceed with a complaint and to define the nature and scope of the committee's inquiry.

(3) If, after an initial investigation, six (6) or more members of the committee determine that there is reason to believe that a violation of the Ethics Code more probably than not occurred, a copy of the complaint shall be served upon the alleged violator along with a statement of the nature and the scope of the committee's inquiry.

(4) The representative shall have twenty (20) days after service thereof to respond in writing to the complaint, and the chair of the committee, with approval of seven (7) or more members of the committee, may extend the time to respond upon reasonable request.

(5)

(A) The committee shall convene within twenty (20) days of receiving the response from the alleged violator or, if no response is received, the committee shall convene not later than forty-five (45) days after service of the complaint upon the alleged violator. At such time, if six (6) or more members of the committee conclude that more probably than not a violation of the House Ethics Code has occurred, the committee shall set a time and place for a hearing. The complainant and the alleged violator shall be given reasonable notice of the time and place for the hearing. The committee shall provide an opportunity for the complainant and the alleged violator to be heard at the hearing. The alleged violator shall have the right to be represented by counsel and to provide evidence on the alleged violator's behalf, to confront and to cross examine witnesses and to have copies of all documents produced as evidence against them in a reasonable time prior to the hearing. The complainant and the alleged violator may request the committee to subpoena witnesses and require the production of documents or other items of evidence relevant to the proceedings, and to otherwise provide discovery of relevant evidence. Such request must be made at least ten (10) days prior to the hearing date. If a request to issue a subpoena is granted by six (6) or more members of the committee, such subpoena shall be issued in accordance with Tennessee Code Annotated, Title 3, Chapter 3.

(B) Notwithstanding any provision of this code to the contrary, the alleged violator may waive the hearing on the complaint and submit the matter directly to the judgment of the committee. Any such waiver shall be in writing and include a statement in response to the complaint; provided that such waiver may be included in the response provided pursuant to Section 2(c)(4). However, the committee, in the committee's sole discretion, may determine to hold a hearing on the complaint irrespective of waiver of the hearing by the alleged violator.

(C) All witnesses shall testify under oath and the hearing shall be open to the public; provided, however, that the committee may close all or part of the proceedings on unanimous vote. The committee shall not be bound by the strict rules of evidence, but the committee's findings shall be based upon competent and substantial evidence.

SECTION 3. The committee may take the following actions on any complaint:

(1) At any time, the committee may dismiss a complaint if six (6) or more members of the committee find that no violation has occurred, or that no punishment or censure is warranted.

(2) After a hearing, or waiver of a hearing, as provided in Section 2, if six (6) or more members of the committee determine that a violation has been committed, the committee shall make a report of its findings and recommendations to the House of Representatives. Such report shall recommend appropriate disciplinary action against the representative committing the violation, if any. A decision of the committee finding that a violation has been committed shall be in writing and signed by six (6) or more members of the committee.

(3) At any time, if the committee deadlocks on both a motion to proceed on a complaint and a motion to dismiss a complaint, the chair shall recess the committee and at the next meeting of the committee if no motion is made on the complaint or if no motion prevails on the complaint or if no motion to continue the proceedings on the complaint to a fixed date prevails, the complaint shall be deemed dismissed and no further action on the complaint shall be considered except as provided in subdivision (4) of this section.

(4) Once acted upon, or dismissed pursuant to this section, no complaint alleging the same, or substantially the same, conduct by the same member during the same episode shall be received and considered by the committee unless initiated by the committee.

(5) At any time, if the committee finds that the circumstances warrant, the committee may disclose any documentation, evidence, or findings related to the matter to the Attorney General, the Tennessee Bureau of Investigation, any District Attorney General, or any other governmental agency or body or professional organization for possible action.

SECTION 4. No member of the committee shall participate in any matter in which such member is accused or in any matter in which such member is determined by seven (7) or more members of the committee to be so involved in the matter as to lack independent judgment. In either case, such member shall be recused as provided in this section. The Speaker shall appoint a representative to replace any member so recused until the proceedings involving the recused member have been concluded. The representative so appointed shall be from the same party as the member replaced. If the recused member is found not to have violated the House Ethics Code by the House Ethics Committee or the House of Representatives, such member shall return to serve on the committee for the remainder of such member's term and the representative appointed to replace the recused member shall cease to be a member of the committee.

SECTION 5.

(a) A member who accepts travel expenses from a sponsor to participate in an out-of-state trip related to the member's official duties must file a trip disclosure form with the House Ethics Committee within ten (10) business days of the member's return from the trip.

(b) For purposes of this section:

(1) "Sponsor" means an individual or entity that pays for, or reimburses a member for, all or part of the travel expenses for a trip. "Sponsor" does not include the state of Tennessee, a political subdivision of the state of Tennessee, another state or territory of the United States, the United States, or an established and recognized organization of elected or appointed state government officials, staff of state government officials or both officials and staff, or any other established and recognized organization that is an umbrella organization for such officials, staff, or both officials and staff. "Sponsor" does not include a member's spouse;

(2) "Travel expenses" means any cost in excess of one hundred dollars (\$100.00) associated with a trip, including, but not limited to, transportation, food, lodging, entertainment, recreational activities, or conference fees and materials. "Travel

expenses" also includes the value of any cost in excess of one hundred dollars (\$100.00) associated with a trip that is provided as an award, discount, reimbursement, scholarship, or subsidy by a sponsor. "Travel expenses" does not include permissible items under Tennessee Code Annotated, Section 3-6-305; and

(3) "Trip related to the member's official duties" means travel associated with the official duties of a member of the House of Representatives, such as attending a meeting or conference, delivering a speech, or engaging in fact-finding. "Trip related to the member's official duties" also includes any travel extended to a member of the House of Representatives due to the member's status as a member.

(c) Trip disclosure forms will be posted semiannually on the House Ethics Committee page of the General Assembly's website.

**COMMITTEE RULES
of the
HOUSE OF REPRESENTATIVES**

83. UNIFORM RULES OF COMMITTEES.

(1) The Chair, after advising with the vice chair, shall set the calendars for hearings before the standing committee, taking into consideration the necessity and importance of the legislation before the committee. Those bills and resolutions requested by the sponsors to go on the calendars shall first be placed on the calendars, provided that the chair, after advising with the vice chair, shall set the calendar for hearings on a reasonable number of bills or resolutions at each committee meeting. The requests by sponsors for their bills to be heard in the standing committees shall be filed with the standing committee as soon as practicable. The chair, after advising with the vice chair, shall have the authority to set on the calendars additional bills or resolutions not requested by the sponsors if, in the opinion of such officers, a reasonable number of measures has not been set for hearing. The Clerk's office shall publish these calendars as early as possible on the day following so that the sponsor of each bill or resolution scheduled for hearing shall be notified.

These notice provisions shall not apply to a bill or resolution transmitted by a standing committee to the Committee on Calendar and Rules for recommendation.

(2) No resolution can be considered in a standing committee without a sponsor as reflected in the House Journal. No bill can be considered in a standing committee without a sponsor as reflected in the House Journal and a companion sponsor as reflected in the Senate Journal.

Any bill or resolution may only be calendared for a meeting of a committee three (3) times. Except for time constraints, no sponsor request or committee action shall allow for any bill or resolution to be calendared beyond a third time. All bills and resolutions which have been calendared for three (3) meetings of a committee, and which have not been reported out of such committee, shall be set by the chairman for a hearing on a special calendar to be published with such committee's final calendar of any annual legislative session.

Any bill or resolution set for the special calendar which is not reported out of such committee shall be returned to the desk of the Clerk of the House. After a bill or resolution has

been sent back to the Clerk's desk, the sponsor of the legislation may appeal to the Speaker to re-refer the proposed legislation; and the Speaker shall have the discretion as to what action shall be taken. Such appeal must be made prior to the convening of the next annual legislative session.

(3) All bills or resolutions not considered controversial in nature may be placed on the committee consent calendar by the chair, after advising with the vice chair, provided the sponsor does not object. Any member of the standing committee may object to bill or resolution placed on the Committee Consent Calendar, and if objection is raised, the bill or resolution shall be removed from the Committee Consent Calendar and thereafter shall be acted upon by the standing committee.

The Committee Consent Calendar shall be printed and posted in regular places at least seventy-two (72) hours in advance of the time set for consideration of such calendar so that each member of the House may know the status of the legislation pending before the standing committee.

(4) Standing committees of the House shall meet at the times and places specified in the official committee schedule.

(5) A standing committee may hold a special committee meeting with approval of the Speaker at a time and place other than that specified in the official schedule of committee meetings. All special meetings, except meetings held when the House is in recess or adjourned, shall be announced in open session by the chair of the committee. Special meetings held on days when the House is in recess or adjourned shall be announced in advance in open session or by written notice furnished to each member of the House not less than seventy-two (72) hours prior to the meeting time.

(6) If a regular scheduled meeting of a standing committee is canceled, the chair shall announce such cancellation in open session of the House prior to the time fixed for the meeting if possible. If it is not possible for the chair to announce such cancellation in open session, all members of the House shall be given written notice or shall direct the committee staff to make every effort to notify each member of the committee and any other members of the House likely to have business before the committee of such cancellation.

(7) A quorum shall consist of a majority of the members of a given standing committee.

(8) Every meeting of the House of Representatives, or any joint committee, standing committee, statutory committee, special committee, select committee, oversight committee, ad hoc committee, any other committee or any subcommittee shall be open to the public. Only when considering a matter involving the security of the state or nation or when investigating a proposed Article V impeachment of a public official other than a member of the general assembly, may a meeting be closed to the public, but only if there is an affirmative vote of at least three-fourths (3/4) of the members present of the respective committee or House. Adequate public notice of every meeting must be provided. The term "meeting" means at least a quorum of the members of a subcommittee, committee, or the House of Representatives, is present and public business within the jurisdiction of such body is being deliberated and decided.

(9) When a standing committee recommends a bill for passage only with the adoption of an amendment or amendments approved by a majority of those members of the committee present and voting thereon, the committee chair shall cause such committee amendment or amendments to be prepared in proper typewritten form and filed with the Chief Clerk of the House

as soon as is practicable. The amendment or amendments should be properly designated as having been recommended in committee and should be signed by the committee chair or the chair's designee before being presented to the Chief Clerk who shall then observe the rules of the House in causing such amendment or amendments to be made available to all members of the House. No committee amendments shall be accepted by the Chief Clerk for filing unless said amendment is labeled with a system entry code assigned by the Office of Legal Services. The Calendar and Rules Committee shall not consider any bill recommended by a standing committee until any amendment or amendments adopted by the standing committee have been attached to the bill. Except as otherwise provided pursuant to Rule 71, the chair shall be responsible for having such amendments delivered within twenty-four (24) hours in typewritten form to the Chief Clerk, who shall attach such amendments to the bill.

(10) No bill or resolution shall be reported from a standing committee unless it shall have received a recommendation for passage as written or for passage with a recommended amendment by a majority of those members of the committee present and voting thereon, a quorum being present. All votes constituting final action on any bill or resolution shall be by roll call vote, and a roll call vote shall be taken at the request of the sponsor of the bill or resolution under consideration prior to any vote or at the request of any three (3) members of the committee. Every bill or resolution reported out of the committee shall contain on the cover a notation in ink, signed by the chair, or other presiding officer, recommending the measure for passage as written or recommending it for passage with an amendment or amendments recommended by the committee. If a motion to recommend a bill or resolution has been voted on by a committee two (2) times and has failed to pass, then the same shall not be considered by the committee again during that annual session.

(11) A written report of the action taken in reporting bills or resolutions out of committee shall be prepared under the direction of the committee chair and submitted promptly together with the bills and resolutions and committee amendments, if any, to the Chief Clerk of the House.

(12) The Chief Clerk shall be responsible for the safe delivery of bills to any meeting of the committee and for their return following the meeting but may delegate such responsibility to one of the Chief Clerk's Office staff.

(13) A standing committee chair may create such ad hoc subcommittees as the chair considers necessary and appropriate to deal with designated subjects within the scope of the subject jurisdiction of the committee. No ad hoc committee shall have the power to kill a bill. The committee chair shall appoint members to any ad hoc subcommittee so authorized and shall name the chair thereof, however no such subcommittee shall have fewer than five (5) members.

A subcommittee of a standing committee shall have authority to consider only such bills, resolutions, or subjects as may be assigned to it. Such a subcommittee shall report only to the standing committee chair unless directed otherwise by the House. No subcommittee may meet while the standing committee of which it is a part is in session without the consent of the standing committee.

When a bill or resolution is assigned to a subcommittee, the subcommittee chair, the sponsor, the chief clerk, and the director of legislative information services shall be notified electronically of the assignment, of said bill, the date of assignment, and the name of the subcommittee.

The request of the sponsor for a bill or resolution to be heard by a committee or subcommittee shall be filed with the standing committee. The chair of the standing committee shall electronically notify the chair of the subcommittee that the sponsor has requested the bill or resolution to be heard. The chair of said subcommittee shall set and publish the date and the calendar of bills to be heard and shall electronically notify the sponsor of bills or resolutions to be heard, the chief clerk, and the director of the Office of Legislative Information Services.

The chair of the standing committee or the subcommittee shall provide copies of the calendar and electronic notice of bills to be heard to the chief clerk and the director of legislative information services.

An electronic report of the action taken by a subcommittee on each bill or resolution which it considers shall be prepared by the chair of said subcommittee and submitted to the chair of the standing committee, the chief clerk, and the director of the Office of Legislative Information Services.

When a bill or resolution is reported from a subcommittee, said bill or resolution shall be placed by the chair of the standing committee on the calendar of the next scheduled meeting of the standing committee unless the sponsor of said bill or resolution requests in writing that the chair of the standing committee set another hearing date.

At any time after a bill or resolution has been acted upon by a subcommittee any member of the standing committee may move to recall the bill or resolution from the subcommittee by presenting the motion in writing to the committee chair. The motion shall be scheduled to be heard at the beginning of the standing committee's next meeting, provided the notice is timely filed under Rule 83(1) so it can be printed on the committee calendar. If the motion carries by a majority of the members entitled to vote at a meeting of the committee then the bill or resolution shall be placed on calendar for the next meeting of the committee. No such motion shall be considered during the final meeting of a committee during a session.

(14) A motion to reconsider any committee action shall be determined by a majority of the committee members entitled to vote at a meeting of the committee. It shall be treated as a simple motion to reconsider, and its effect shall be the same.

(15) No proxy votes shall be permitted in a standing committee for any purpose.

(16) If a member of a standing committee will be unable to attend said meeting, that member shall request an excused absence from the chair. If any appointed member of a standing committee is absent from two (2) regularly scheduled meetings of the committee without being excused by the chair, the chair shall report such absences to the Speaker of the House.

(17) In the absence of a quorum, the chair or other presiding officer shall have authority to direct the Sergeant-at-Arms to secure the presence of a sufficient number of members to constitute a quorum.

(18) In the absence of any express designation or appointment of any officers of a joint committee or joint subcommittee, the members thereof shall elect a chair and such other officers as are considered necessary by the committee.

(19) All committee minutes shall reflect attendance of members. Members shall be paid in accordance with the provisions of the law governing payment of per diem allowance to members

of the General Assembly. The chair of each standing committee is charged with the duty and responsibility of providing and certifying to the Speaker the roll call vote of such committee and a listing of those sponsors appearing before the committee seeking action on their bills or resolutions.

(20) Except as stated in the foregoing rules, the Rules of Order of the House of Representatives shall apply. Other special rules shall not be adopted by committees.

84. CHIEF COUNSEL. There may be a Chief Counsel of the House Representatives who shall be appointed by the Speaker. The duties of the Chief Counsel may include providing legislative counsel to the Speaker of the House of Representatives. The Chief Counsel must be a graduate of an accredited law school, licensed to practice law in the state of Tennessee, and have 5 or more years of experience in the field of legislative law. The Chief Counsel must be appointed by the Speaker without reference to party affiliation but solely on the basis of fitness to perform the duties of the office. Tenn. Code Ann. § 3-12-106 shall apply to the Chief Counsel when serving as legislative counsel to the Speaker.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolutions were introduced and placed on the Consent Calendar for January 20, 2021:

***House Joint Resolution No. 1** -- Memorials, Retirement - Mary Hance. by *Clemmons.

***House Joint Resolution No. 2** -- Memorials, Sports - Sarah Fuller, Vanderbilt University. by *Clemmons.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 1** -- Banks and Financial Institutions - As introduced, imposes fees on certain money transmissions originating in this state to a location outside of the United States or its territories; requires that funds generated from collection of fees be used to fund salary increases for teachers and other educational staff. - Amends TCA Title 9; Title 38; Title 45, Chapter 7; Title 49 and Title 67. by *Griffey, *Hall, *Darby, *Sexton J.

House Bill No. 2 -- Education - As introduced, enacts the "Tennessee Literacy Success Act"; requires LEAs to provide foundational literacy skills instruction, provide reading interventions and supports, and administer universal reading screeners to students in kindergarten through grade three to improve reading proficiency. - Amends TCA Title 49, Chapter 1; Title 49, Chapter 5 and Title 49, Chapter 6. by *Lamberth, *Gant, *White, *Moody, *Cepicky, *Haston, *Ragan, *Littleton, *Helton, *Williams, *Rudder, *Garrett, *Boyd, *Terry, *Gillespie, *Eldridge, *Faison, *Bricken.

House Bill No. 3 -- Education - As introduced, excludes data generated by state assessments administered in the 2020-2021 school year, and data generated by alternative growth models used by LEAs in the 2020-2021 school year to evaluate teachers in non-tested grades and subjects, from certain accountability determinations; revises certain tenure eligibility requirements to account for the unavailability of data due to the cancellation of TCAP tests as a result of the COVID-19 pandemic. - Amends TCA Title 49, Chapter 1, Part 2; Title 49, Chapter 1, Part 3; Title 49, Chapter 1, Part 6; Title 49, Chapter 5, Part 5 and Title 49, Chapter 6, Part 1. by *Lamberth, *Gant, *White, *Moody, *Cepicky, *Haston, *Ragan, *Littleton, *Bricken, *Helton, *Williams, *Rudder, *Boyd, *Garrett, *Terry, *Gillespie, *Eldridge, *Faison.

House Bill No. 4 -- Education - As introduced, enacts the "Tennessee Learning Loss Remediation and Student Acceleration Act"; requires local education agencies and public charter schools to implement a program of after-school learning mini-camps, learning loss bridge camps, and summer learning camps to remediate student learning loss. - Amends TCA Title 49, Chapter 6. by *Lamberth, *Gant, *White, *Moody, *Cepicky, *Haston, *Ragan, *Littleton, *Bricken, *Helton, *Rudder, *Williams, *Boyd, *Terry, *Garrett, *Gillespie, *Eldridge, *Faison.

***House Bill No. 5** -- Education - As introduced, sets January 30 for the date by which the department of education must submit the required annual early grades reading report to the general assembly under the Tennessee Literacy Initiative Act of 1999. - Amends TCA Title 49. by *Todd.

***House Bill No. 6** -- Education, State Board of - As introduced, requires the state board to include goals or benchmarks for improvements in student literacy to the goals or benchmarks the board must submit to the general assembly. - Amends TCA Title 49. by *Todd.

***House Bill No. 7** -- Education, Curriculum - As introduced, restricts the course access program to high school students only; removes the ability of a student to enroll in a program course in situations where "a legitimate situation exists that prevents the student from enrolling in a comparable course"; authorizes the state board of education to exclude a course offered by a school issued a "D" or "F" letter grade by the department in the most-recent state report card from the course access catalog. - Amends TCA Title 49, Chapter 18. by *Cepicky, *Sexton C, *Weaver.

***House Bill No. 8** -- Education - As introduced, requires, subject to appropriation, the state to fund a 4 percent increase to LEAs' instructional salaries components in the 2020-2021 school year, which must be used solely to fund an increase in teacher salaries for that school year; provides that teachers must receive back pay from the beginning of the school year; prohibits an LEA from reducing a teacher's salary from one school year to the next, except in the case of a reduction in the teacher's duties. - Amends TCA Title 49. by *Clemmons.

***House Bill No. 9** -- Teachers, Principals and School Personnel - As introduced, provides all school-based employees of an LEA during the 2020-2021 school year with a one-time hazard pay bonus of 2 percent of the employee's annual salary. - Amends TCA Title 49. by *Clemmons.

House Bill No. 10 -- Education - As introduced, allows educator preparation program faculty to further professional development through facilitating professional learning for public school educators focused on improvements in literacy instruction in kindergarten through third grade. - Amends TCA Title 49. by *Dixie.

House Bill No. 11 -- Teachers, Principals and School Personnel - As introduced, encourages a local director of schools, beginning in the 2021-2022 school year, to include at least two hours of in-service training related to improvements in student literacy for kindergarten through third grade teachers each year. - Amends TCA Title 49. by *Dixie.

House Bill No. 12 -- Education, Dept. of - As introduced, requires the commissioner to include any available data in the commissioner's 2021 annual report regarding the extent of learning loss experienced by students during the 2019-2020 and 2020-2021 school years as a result of the COVID-19 pandemic. - Amends TCA Title 49. by *Dixie.

***House Bill No. 13** -- Education - As introduced, makes various changes to the education statutes related to literacy training; student learning loss during the COVID-19 pandemic; the economic effects of the COVID-19 pandemic on teacher pay; and certain accountability determinations for students, teachers, and local education agencies. - Amends TCA Title 49. by *Dixie.

***House Bill No. 14** -- Education, State Board of - As introduced, requires the BEP review committee to analyze how education funding for the 2021-2022, 2022-2023, and 2023-2024 school years may be affected by changes to an LEA's enrollment in the 2020-2021 school year as a result of the COVID-19 pandemic, and recommend any necessary revisions, additions, or deletions to the formula in its annual report. - Amends TCA Title 49. by *Lamberth, *Gant.

***House Bill No. 15** -- Education - As introduced, requires the commission on education recovery and innovation to include data and recommendations for addressing student learning loss and course access related to the COVID-19 pandemic in the commission's final report. - Amends TCA Title 49. by *Parkinson.

***House Bill No. 16** -- Education - As introduced, requires the BEP review committee to review any available information related to temporary education and school funding deficiencies or shortfalls resulting from the COVID-19 pandemic during at least one meeting of the committee in the year 2021. - Amends TCA Title 49. by *Parkinson.

***House Bill No. 17** -- Education - As introduced, prohibits the use of student scores, student growth data, or student performance data obtained from TCAP tests given in the 2020-2021 school year in teacher accountability data, school accountability data, or student grades, unless use of the data results in a higher score or grade. - Amends TCA Title 49. by *Camper, *Love.

***House Bill No. 18** -- Education, Dept. of - As introduced, requires the department to direct each local board of education and charter school governing body to develop a plan to conduct mental and behavioral health screenings for all students in kindergarten through eighth grade in order to evaluate the impact of the COVID-19 pandemic on students' mental and behavioral health and any resulting learning loss. - Amends TCA Title 49. by *Clemmons.

***House Bill No. 19** -- Education - As introduced, authorizes a local board of education or charter school governing body to adopt policies and procedures relative to COVID-19 quarantining; requires a claimant alleging loss, damage, injury, or death caused by or resulting from a policy adopted by a local board or charter school governing body to prove by clear and convincing evidence that the board or governing body caused the injury by an act or omission constituting gross negligence or willful misconduct. - Amends TCA Title 29, Chapter 34; Title 49; Title 58, Chapter 2 and Title 68. by *Ogles, *White, *Lamberth, *Moody, *Faison, *Zachary,

TUESDAY, JANUARY 19, 2021 – FIRST LEGISLATIVE DAY – FIRST EXTRAORDINARY SESSION

*Rudder, *Crawford, *Vaughan, *Cochran, *Leatherwood, *Todd, *Haston, *Hurt, *Sexton J, *Hulsey, *Garrett, *Smith, *Littleton.

House Bill No. 20 -- Appropriations - As introduced, makes appropriations sufficient to provide the first year's funding for any act which receives final passage during the first extraordinary session of the 112th General Assembly. - ACT to. by *Lamberth.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Lamberth moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 3 out of order, which motion prevailed.

***House Joint Resolution No. 3** -- General Assembly, Joint Conventions - Calls a joint convention to hear an address by Governor Bill Lee on his initiatives relative to public elementary and secondary education. by *Lamberth.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Lamberth, the resolution was adopted.

A motion to reconsider was tabled.

RECESS MOTION

Rep. Lamberth moved that pursuant to **House Joint Resolution No. 3**, the House stand in a brief recess prior to joining the Senate in Joint Convention for the purpose of the hearing an address by Governor Bill Lee.

IN JOINT CONVENTION

THE GOVERNOR’S ADDRESS ON EDUCATION

TUESDAY, JANUARY 19, 2021

The hour having arrived, set by House Joint Resolution No. 3, the Senate met with the House in Joint Convention to hear an address from Governor Bill Lee regarding the purpose for calling the Extraordinary Session.

The Joint Convention was called to order by Mr. Speaker McNally, President of the Joint Convention.

On motion of Senator Johnson, the roll call of the Senate and the reading of the resolution was dispensed with.

On motion of Representative Lamberth, the roll call of the House was dispensed with.

Mr. President McNally, introduced the Honorable Bill Lee, Governor of the State of Tennessee.

**GOVERNOR LEE’S ADDRESS TO THE GENERAL ASSEMBLY
SPECIAL SESSION ON EDUCATION**

Thank you, Lt. Governor McNally, Speaker Sexton, Speaker Pro-Tem Haile and Speaker Pro-Tem Marsh for the opportunity to convene on behalf of our students.

I also thank Leader Johnson, Leader Lamberth, members of the education committee who have worked closely with us, and I want to thank all the members of the General Assembly.

We have a shared belief that the foundation of our state is the strength of her people.

As we approach the one-year mark of managing the COVID-19 pandemic in Tennessee and facing the number of other challenges in this state and on the federal level, it’s a common refrain to hear “this is a historic time”, or an “unprecedented time” or “never before have seen a challenge of this magnitude.”

In many ways, that’s certainly true, and I’ve found there has been no greater place for COVID to cause sweeping disruption than in our K-12 school system.

This disruption has left students to navigate unprecedented challenges without the routine of learning in a classroom, with classmates and a trusted teacher.

We’re meeting today because it’s time to intervene for our kids who are staring down record learning losses, that in the short-term, mean an inability to read at their grade level or understand basic math.

But in the long-term, those learning losses mean higher incarceration rates and poverty as adults.

Our work here this week bears great significance on the safety of our neighborhoods and the prosperity of our state for a generation.

Big challenges require decisive action, which is why we have agreed to meet this week in an extraordinary legislative session.

We cannot wait, because our students cannot wait.

It would be much simpler to hope or to assume that disruptions to school caused by COVID will just come out in the wash.

But unfortunately, the data - the science - tells us that isn't true.

Data suggests there are very real consequences to keeping students out of the classroom for this long.

Nationally, that looks like a 50% drop in reading proficiency and a 65% drop in math proficiency with third grade students.

That sort of forecast is forcing an unacceptable future on our kids and it's why we are proposing a series of reforms around learning loss and literacy. We are also proposing a pause around some aspects of accountability.

These data points are important, and indeed we have used data to make all decisions impacting our schools.

Months ago, when critics were loud and the scare tactics were louder with all the reasons why we couldn't safely return students and teachers to the classroom, we traded that speculation for science.

We followed that science down a path that would make us one of the first states in the country to get students and teachers back in the classroom this fall across 145 of our 147 districts.

Tennessee has thus become a national leader in embracing the courage to get back in the classroom and show that it can be done.

I commend those districts, those local leaders and educators for not settling for the path of least resistance and hiding behind month after month of virtual learning with no end in sight.

Instead, we saw the vast majority of our schools, led by determined superintendents put in the work that was needed for one reason: their students were counting on them.

And kids have a lot to say about in-person learning or the lack thereof.

In a survey of more than 20,000 school kids across nine states, only 39% of students in grades 5 through 12 reported that they 'learned a lot almost every day' during the shutdown.'

64% of students overall reported experiencing distractions at home that interfered with schoolwork.

And worse so, Black and Latino students reported facing more obstacles to learning at home than white and Asian students.

Here's the bottom line: you can't say "follow the science" and keep schools closed. You can't say "I believe in public education" and keep schools closed. And you can't say you're putting the needs of students first and keep schools closed. Kids do better in school: we know that - parents know that.

That's why I'm so proud of our districts who have kids in school, and to those who remain closed, I would offer this simple encouragement: follow the science.

Getting kids back in the classroom is imperative. But the reality is that the impacts from COVID would require us to act urgently even if every student was back to in-person learning tomorrow.

First, let's talk about learning loss.

Paired with a full return to the classroom, we are proposing a targeted intervention to reach those kids who are falling behind in reading and math.

Existing laws have created an environment of too little, too late when it comes to helping kids before third grade.

We are proposing a third-grade reading gate which means that we make sure students are prepared before we pass them through to the fourth grade.

When we stop the cycle of passing without preparation, we give kids a better chance at succeeding in middle school and beyond.

Our proposal also includes a full-time tutoring corps, after school camps, learning loss bridge camps and summer learning camps.

Upon passage of our proposed legislation, we will be prepared to execute and administer these targeted interventions beginning this summer.

Now, let's talk about literacy.

So much of our success in K-12 hinges on building better readers.

When only 34% of Tennessee students are proficient or advanced readers by fourth grade, and that's pre-COVID, something isn't working and it's time to get back to the basics.

We need to teach our kids to read with phonics.

It's the way we learned to read. It's the way we taught our kids.

With this proposal, kindergarteners through third grade will be taught phonics as the primary form of reading instruction.

And to make sure our progress is on track, we've developed a screening tool to help parents and teachers identify a struggling student more quickly.

Simple methods like phonics serve our kids better - Commissioner Schwinn knows it and I know it and that's what we're going to use in Tennessee.

We believe that these tools will work for our students but we have to have a clear picture of their starting point to get a window into the progress that they'll make.

So, we will keep TCAP testing in place for the 20/21 school year so that parents and teachers know where students stand.

However, there will be no negative consequences associated with student assessments so that the focus can remain on getting firm footing back in place after the uncertainty of time away from the classroom.

To be clear: no teacher will be penalized due to test results this school year. But we'll be relying on teachers and districts like never before to help us get these kids back on track.

This approach isn't going to be easy but as leaders we must do what it takes for our kids.

We're pursuing both bold interventions and a return to the basics and for any of these goals to come to fruition, we have to account for our teachers.

We are proposing additional funding through both an appropriations bill this week and our upcoming budget to give a pay raise to every single teacher in Tennessee.

We are proposing to increase the salary component of our funding formula by 4%. This is not just about compensation - it's an investment in better outcomes for our kids and we should all place an expectation on school districts that these dollars get passed directly to our teachers.

In the last decade, our students have made great strides in both reading and math and yet the events of the last year stand to threaten that progress.

We aren't where we want to be as a state but we have a tremendous opportunity here and now to not only stave off a monumental crisis but to forge a new path.

Our new approach isn't just about making up the losses.

These changes to our education system will actually educate our kids better in the future than we did before the pandemic.

And that is a redemption story for our education system that will have ripple effects on our students' lives for decades and well beyond the classroom.

Thank you for your time today and careful consideration to each of these proposals. We should not miss this opportunity and together we'll change the future of Tennessee. Thank you.

Mr. President McNally relinquished the Chair to Mr. Speaker Sexton.

TUESDAY, JANUARY 19, 2021 – FIRST LEGISLATIVE DAY – FIRST EXTRAORDINARY SESSION

Thereupon, the purpose for which the Joint Convention was called having been accomplished, Mr. President Sexton declared the Joint Convention dissolved.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Sexton.

ROLL CALL DISPENSED

On motion of Rep. Lamberth the roll call was dispensed with.

ANNOUNCEMENTS

APPOINTMENT OF STANDING COMMITTEES

The Speaker announced the appointment of the Standing Committees of the House for the First Extraordinary Session as follows:

EDUCATION 12 COMMITTEE: Mark White – Chairman, Scott Cepicky – Vice Chairman, Rebecca Alexander, Kent Calfee, Jesse Chism, Mark Cochran, Barbara Cooper, Tandy Darby, Clay Doggett, Ron Gant, Kirk Haston, Tim Hicks, Chris Hurt, Justin Lafferty, Harold Love, Sam McKenzie, Debra Moody, Antonio Parkinson, John Ragan, Iris Rudder, Dwayne Thompson, Chris Todd, Ron Travis and Terri Lynn Weaver.

EDUCATION 345 COMMITTEE: Debra Moody – Chairman, Kirk Haston – Vice Chairman, Charlie Baum, Bill Beck, Michele Carringer, Scott Cepicky, John Crawford, Vincent Dixie, John Gillespie, Yusuf Hakeem, Curtis Johnson, Tom Leatherwood, Eddie Mannis, Pat Marsh, Bo Mitchell, Jason Potts, Jason Powell, John Ragan, Paul Sherrell, Mike Sparks, Mark White, Dave Wright and Jason Zachary.

FINANCE, WAYS AND MEANS COMMITTEE: Patsy Hazlewood – Chairman, Gary Hicks – Vice Chairman, Karen Camper, John Crawford, Bob Freeman, Johnny Garrett, Rusty Grills, John Holsclaw, Darren Jernigan, Curtis Johnson, Sabi Kumar, Mary Littleton, Susan Lynn, Larry Miller, Brandon Ogles, Lowell Russell, Robin Smith, Bryan Terry, Sam Whitson and John Mark Windle.

FINANCE TAX COMMITTEE: Ryan Williams – Chairman, Patsy Hazlewood – Vice Chairman, Clark Boyd, Rush Bricken, Scotty Campbell, Mike Carter, John Ray Clemmons, Michael Curcio, Jeremy Faison, Andrew Farmer, Mark Hall, Torrey Harris, David Hawk, Esther Helton, Gary Hicks, Jason Hodges, London Lamar, William Lamberth, Dennis Powers, Dwayne Thompson and Kevin Vaughan.

GOVERNMENT OPERATIONS: John Ragan – Chairman, Jay Reedy – Vice Chairman, Dale Carr, Glen Casada, Rick Eldridge, Bruce Griffey, Curtis Halford, GA Hardaway, Dan Howell, Bud Hulsey, Gloria Johnson, Kelly Keisling, Jerome Moon, Bob Ramsey, Tim Rudd, Jerry Sexton, Johnny Shaw, Mike Stewart, Joe Towns and Todd Warner.

CALENDAR AND RULES: Jason Zachary—Chairman, Lowell Russell—Vice Chairman, Karen Camper, Mike Carter, John Crawford, Michael Curcio, Tandy Darby, Vincent Dixie, Jeremy Faison, Curtis Halford, Yusuf Hakeem, Patsy Hazlewood, Dan Howell, Darren Jernigan, Sabi Kumar, Kelly Keisling, William Lamberth, Debra Moody, Pat Marsh, John Ragan, Iris Rudder, Cameron Sexton, Bryan Terry, Kevin Vaughan, Mark White and John Mark Windle.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1 Reps. Hall, Warner and J. Sexton as prime sponsors.

House Bill No. 2 Reps. Littleton, Helton, Williams, Rudder, Garrett, Boyd, Terry, Gillespie, Eldridge, Faison and Bricken as prime sponsors.

House Bill No. 3 Reps. Littleton, Bricken, Helton, Williams, Rudder, Boyd, Garrett, Terry, Gillespie, Eldridge and Faison as prime sponsors.

House Bill No. 4 Reps. Littleton, Bricken, Helton, Rudder, Williams, Boyd, Terry, Garrett, Gillespie, Eldridge and Faison as prime sponsors.

House Bill No. 7 Rep. Weaver as prime sponsor.

House Bill No. 17 Rep. Love as prime sponsor.

House Bill No. 19 Reps. White, Lamberth, Moody, Faison, Zachary, Rudder, Crawford, Vaughan, Cochran, Leatherwood, Todd, Haston, Hurt, J. Sexton, Hulsey, Garrett, Smith and Littleton as prime sponsors.

**ENGROSSED BILLS
January 19, 2021**

MR. SPEAKER: The following bills have been examined, engrossed and are ready for transmission to the Senate: House Joint Resolution No. 3;

GREG GLASS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE
January 19, 2021**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 3; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS
January 19, 2021**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No. 3; and find same correctly enrolled and ready for the signatures of the Speakers.

GREG GLASS, Chief Engrossing Clerk

**SIGNED
January 19, 2021**

The Speaker announced that he had signed the following: House Joint Resolution No. 3.

GREG GLASS, Chief Engrossing Clerk

ROLL CALL

The roll call was taken with the following results:

Present..... 91

Representatives present were Alexander, Baum, Beck, Boyd, Bricken, Calfee, Campbell, Camper, Carr, Carringer, Casada, Cepicky, Chism, Clemmons, Cochran, Crawford, Curcio, Darby, Dixie, Doggett, Eldridge, Faison, Farmer, Freeman, Gant, Garrett, Gillespie, Griffey, Grills, Hakeem, Halford, Hall, Harris, Haston, Hawk, Hazlewood, Helton, Hicks G, Hicks T, Hodges, Holsclaw, Howell, Hulsey, Hurt, Jernigan, Johnson C, Johnson G, Keisling, Kumar, Lafferty, Lamar, Lamberth, Leatherwood, Littleton, Love, Lynn, Mannis, Marsh, McKenzie, Miller, Mitchell, Moody, Moon, Ogles, Parkinson, Potts, Powell, Powers, Ragan, Ramsey, Reedy, Rudder, Russell, Sexton J, Shaw, Sherrell, Smith, Sparks, Thompson, Todd, Towns, Travis, Vaughan, Warner, Weaver, White, Whitson, Windle, Wright, Zachary, Mr. Speaker Sexton -- 91

RECESS

On motion of Rep. Lamberth, the House stood in recess until 9:00 a.m., Wednesday, January 20, 2021.